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TITLE 22, DIVISION 6

CHAPTER 4 SMALL FAMILY HOMES

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Amend Section 83001 to read:

83001 DEFINITIONS

83001

In addition to Section 80001, the following shall apply.

~~(a-)~~ (Continued)

~~(b-)~~ (Reserved)

~~(c-)~~ (1) “Caregiver” means the person who is licensed to have authority and responsibility for the care and supervision of a child or a nonminor dependent and operation of the home.

~~(12)~~ (Continued)

~~(23)~~ (Continued)

(4) “Consequence” means an action to be imposed when the nonminor dependent violates written expectations for living in the home.

~~(d-)~~ (Continued)

~~(e-)~~ (Reserved)

~~(f-)~~ (Continued)

~~(g-)~~ (Reserved)

~~(h-)~~ (Continued)

~~(i-)~~ (Continued)

~~(j-)~~ (Reserved)

~~(k-)~~ (Reserved)

~~(l-)~~ (Continued)

~~(m-)~~ (Continued)

~~(n-)~~ (1) (Continued)

- (2) “Nonminor Dependent” means a child, as described in Section 675(8)(B) of Title 42 of the United States Code under the Federal Social Security Act and as defined in Welfare and Institutions Code section 11400, subsection (v).

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Welfare and Institutions Code section 11400, subsection (v) provides:

“ ‘Nonminor dependent’ means, on and after January 1, 2012, a foster child, as described in Section 675(8)(B) of Title 42 of the United States Code under the federal Social Security Act who is a current or former dependent child or ward of the juvenile court who satisfies all of the following criteria:

- (1) He or she has attained 18 years of age but is less than 21 years of age.
- (2) He or she is in foster care under the responsibility of the county welfare department, county probation department, or Indian tribe that entered into an agreement pursuant to Section 10553.1.
- (3) He or she is participating in a transitional independent living case plan pursuant to Section 475(8) of the federal Social Security Act (42 U.S.C. Sec. 675(8)), as contained in the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351).”

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- (3) “Nonminor Dependent with Special Health Care Needs” means a person who is age 18, but is under age 21, who meets the requirements of Welfare and Institutions Code section 11400, subsection (v) and the following conditions:
- (A) Has a medical condition that requires specialized in-home health care.
 - (B) Is one of the following:
 - 1. Adjudged a nonminor dependent by the court.
 - 2. Developmentally disabled and receiving services and case management from a regional center.
 - 3. Incapable of participating in education or training, preparation for employment, or employment due to a medical condition as specified in Welfare and Institutions Code section 11403, subsection (b)(5).

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Welfare and Institutions Code section 11403, subsection (b) provides in part:

“(b) ...Effective January 1, 2012, a nonminor former dependent child of the juvenile court who is receiving AFDC-FC benefits pursuant to Section 11405 shall be eligible to continue to receive aid up to 19 years of age, effective January 1, 2013, up to 20 years of age, and effective January 1, 2014, up to 21 years of age, as long as the nonminor is otherwise eligible for AFDC-FC benefits under this subdivision. This subdivision shall apply when one or more of the following conditions exist:

...(5) The nonminor is incapable of doing any of the activities described in subparagraphs (1) to (4), inclusive, due to a medical condition, and that incapability is supported by regularly updated information in the case plan of the nonminor.”

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(o-) (Continued)

(p-) (Continued)

(q-) (Reserved)

(r-) (Reserved)

(s-) (Continued)

(t-) (Reserved)

(u-) (Reserved)

(v-) (Reserved)

(w-) (Reserved)

(x-) (Reserved)

(y-) (Reserved)

(z-) (Reserved)

NOTE: Authority cited: Section 17730, Welfare and Institutions Code; and Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 11400(v), (w), and (x), 11403, 11403.2(a)(2), 17710(a), (d), (g), (h) and (i), 17731(c) and 17732(b), Welfare and Institutions Code; and Sections 1501, 1502, 1507, 1530 and 1531, Health and Safety Code.

Adopt Subchapter 1, Article 1, and Section 83100 to read:

SUBCHAPTER 1. NONMINOR DEPENDENTS

Article 1. General Requirements

83100 **GENERAL**

83100

- (a) The provisions in this subchapter shall apply to small family homes that care for nonminor dependents, as defined in Section 83001, subsection (n)(2). Unless specified otherwise, the provisions in Title 22, Chapter 4, Small Family Homes, shall also apply to nonminor dependents.
- (b) Title 22, Chapter 1, General Licensing Requirements, shall apply to nonminor dependents only as specified.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1501.1, 1530, and 1531, Health and Safety Code.

Adopt Section 83122 to read:

83122 PLAN OF OPERATION

83122

- (a) In addition to Section 80022, Plan of Operation, the following shall apply to nonminor dependents.
- (b) The plan of operation shall also include the following:
 - (1) A statement regarding whether the licensee intends to accept nonminor dependents.
 - (2) A description of programs or services to be provided by the facility consistent with assisting a nonminor dependent in preparing for emancipation from foster care.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1501.1, and 1531, Health and Safety Code.

Adopt Article 3 and Section 83126 to read:

Article 3. Application Procedures

83126 SAFEGUARDS FOR CASH RESOURCES, PERSONAL PROPERTY, 83126 **AND VALUABLES**

- (a) Section 80026, Safeguards for Cash Resources, Personal Property, and Valuables, shall not apply to nonminor dependents. Section 83026, Safeguards for Cash Resources, Personal Property, and Valuables, shall apply only when it is not developmentally appropriate for a nonminor dependent to have control of his or her cash resources, personal property, and valuables.
- (b) A nonminor dependent shall have control of his or her cash resources, personal property, and valuables in accordance with his or her developmental level and Transitional Independent Living Plan.
- (c) At the request of a nonminor dependent, the caregiver shall provide assistance with the following:
 - (1) Managing the nonminor dependent's cash resources, personal property, and valuables.
 - (2) Maintaining accurate records of the nonminor dependent's bank account, savings, and monthly budget.
- (d) If the cash resources, personal property, and valuables of a nonminor dependent are entrusted to the caregiver, these items shall be safeguarded as specified in this subsection.
 - (1) The caregiver shall review an itemized inventory list of the cash resources, personal property, and valuables with the nonminor dependent.
 - (A) This list shall be kept in the records for the nonminor dependent as specified in Section 83170, Nonminor Dependents' Records.
 - (2) The caregiver shall:
 - (A) Keep the cash resources, personal property, and valuables of each nonminor dependent separate and intact, and
 - (B) Maintain accurate records of the cash resources, personal property, and valuables belonging to a nonminor dependent.

- (e) The caregiver shall not make expenditures from the cash resources of a nonminor dependent for any basic services in these regulations.
 - (1) This requirement does not apply to a caregiver who is appointed by the Social Security Administration as representative payee for a nonminor dependent.
- (f) If the caregiver has been entrusted with the cash resources, personal property, and valuables of a nonminor dependent, the caregiver shall surrender these items to the nonminor dependent or to the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, with an itemized inventory list of these items when a nonminor dependent leaves the home.
 - (1) The caregiver and the nonminor dependent or the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, shall inspect the itemized inventory list to ensure that all personal belongings of the nonminor dependent are being surrendered to the nonminor dependent, and
 - (2) The caregiver shall request and retain a receipt that is signed and dated by the nonminor dependent or the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1502.7, and 1531, Health and Safety Code; Section 16001.9, Welfare and Institutions Code; and Section 416.601, Title 20, Code of Federal Regulations.

Adopt Article 6 and Section 83161 to read:

Article 6. Continuing Requirements

83161 REPORTING REQUIREMENTS

83161

- (a) Section 80061, Reporting Requirements, shall not apply to nonminor dependents. With the exception of Section 83061, subsections (a) and (d), Section 83061, Reporting Requirements and all of the following shall apply to nonminor dependents.
- (b) The caregiver shall report to the licensing agency and the person or agency responsible for placing a nonminor dependent, such as a social worker or probation officer, when any of the following events occur:
 - (1) Death of a nonminor dependent.
 - (2) Any suspected physical or emotional abuse of a nonminor dependent.
 - (3) Any injury to or illness of a nonminor dependent that requires emergency medical treatment or hospitalization.
 - (4) Any unusual incident that involves a nonminor dependent and threatens the physical or emotional health or safety of the nonminor dependent or anyone in the home.
 - (5) Any prolonged absence or failure to return to the home lasting more than 72 hours that involves a nonminor dependent and threatens the physical or emotional health or safety of the nonminor dependent.
 - (6) Poisonings, which shall also be reported immediately to the local fire authority. In areas not having organized fire services, a report shall be made to the State Fire Marshal within 24 hours after the event occurs.
 - (7) Fires or explosions which occur in or on the premises.
 - (8) If the caregiver operates a family day care home as defined in Health and Safety Code section 1596.78, the presence of a nonminor dependent in the home.

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Health and Safety Code section 1596.78 provides:

"(a) 'Family day care home' means a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home.

(b) 'Large family day care home' means a home that provides family day care for 7 to 14 children, inclusive, including children under the age of 10 years who reside at the home, as set forth in Section 1597.465 and as defined in regulations.

(c) 'Small family day care home' means a home that provides family day care for eight or fewer children, including children under the age of 10 years who reside at the home, as set forth in Section 1597.44 and as defined in regulations."

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- (9) Except for a child under the jurisdiction of the court and placed by the county or a nonminor dependent, anyone living in the home who reaches their 18th birthday.
- (c) This report shall be made by telephone, e-mail, or fax within 24 hours after the event occurs or within the agency's next business day.
- (d) The caregiver shall submit a written report to the licensing agency and the person or agency responsible for placing a nonminor dependent, such as a social worker or probation officer, when any of the events specified in subsection (b)(1) through (b)(9) occur and the initial report was made by phone or did not include all of the information required on the written report. This written report shall be submitted within 7 calendar days after the event occurs and include the following information:
 - (1) The name, age, sex, and date of admission of the nonminor dependent.
 - (2) Date and nature of the incident.
 - (3) Attending physician's name, findings, and treatment, if any.
 - (4) Current status of the incident.
- (e) The caregiver shall notify the licensing agency and the person or agency responsible for placing a nonminor dependent, such as a social worker or probation officer, when the nonminor dependent is discharged as specified in Section 83168.4, Removal or Discharge Procedures.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1501.1, 1531, 1557.5, and 1596.78, Health and Safety Code.

Adopt Section 83168.1 to read:

83168.1 ADMISSION PROCEDURES

83168.1

- (a) Section 80068, Admission Agreements shall not apply to nonminor dependents. Except as specified in this section, Section 83068.1, Admission Procedures, shall not apply to nonminor dependents.
- (b) Prior to new placement of a nonminor dependent in the home, the caregiver shall, jointly with the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, complete a Pre-Placement Appraisal in regard to the nonminor dependent for the appraisal as specified in Health and Safety Code section 1501.1, subsection (d).
 - (1) The appraisal shall include, but not be limited to, the following information about the nonminor dependent:
 - (A) Confirmation that the nonminor dependent does not pose a threat to children in the home.
 - (B) Overall health and health history, including any dietary limitations, currently prescribed medications and major illnesses, accidents, hospitalization, or surgery.
 - (C) Physical and developmental disabilities.
 - (D) Mental health and mental conditions.
 - (E) Social factors, including likes, dislikes, interests, and activities.
 - (2) The appraisal shall also specify the ability of the home to meet the needs of the nonminor dependent.

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Health and Safety Code section 1501.1, subsection (d) provides:

“(d) Pursuant to this section, children with varying designations and varying needs, including, on and after January 1, 2012, nonminor dependents, as defined in subdivision (v) of Section 11400 of the Welfare and Institutions Code, except as provided by statute, may be placed in the same licensed foster family home or with a foster family agency for subsequent placement in a certified family home. Children, including nonminor dependents, with developmental disabilities, mental disorders, or physical disabilities may

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be placed in licensed foster family homes or certified family homes, provided that an appraisal of the child's or nonminor dependent's needs and the ability of the receiving home to meet those needs is made jointly by the placement agency and the licensee in the case of licensed foster family homes or the placement agency and the foster family agency in the case of certified family homes, and is followed by written confirmation prior to placement. The appraisal shall confirm that the placement poses no threat to any child in the home...."

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- (c) Upon placement of a nonminor dependent, the caregiver shall request the Health and Education Passport for the nonminor dependent and the Transitional Independent Living Plan for the nonminor dependent from the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, if they are not immediately provided.
- (d) When the documents specified in subsection (c) above are received, the caregiver shall review the documents and determine if the caregiver can meet the needs of a nonminor dependent as specified in Section 83068.1, subsections (c)(1) and (c)(2).
- (e) The caregiver shall provide a nonminor dependent with notification of personal rights as specified in Section 83172, subsection (d) and
- (f) If the caregiver determines that the home cannot continue to provide the necessary services to meet the needs of a nonminor dependent, the discharge procedures specified in Section 83168.4, Removal or Discharge Procedures shall apply.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1501.1, 1530.91, and 1531, Health and Safety Code; and Section 16010, Welfare and Institutions Code.

Adopt Section 83168.2 to read:

83168.2 CRIMINAL RECORD CLEARANCE

83168.2

- (a) A nonminor dependent shall not be subject to criminal record clearance as specified in Health and Safety Code 1502.7, subsection (b)(2).

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Health and Safety Code section 1502.7, subsection (b)(2) provides:

“(b) The regulations shall recognize the status of nonminor dependents as legal adults. At a minimum, the regulations shall provide both of the following...”

- (2) That nonminors described in subdivision (a) in a community care facility shall not be subject to criminal background clearances pursuant to Sections 1522 and 1522.1, for the purposes of facility licensing.”

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NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1502.7, 1522, 1522.1, and 1531, Health and Safety Code.

Adopt Section 83168.3 to read:

83168.3 NEEDS AND SERVICES PLAN

83168.3

- (a) Section 80068.2, Needs and Services Plan does not apply to nonminor dependents.
- (b) Section 83068.2, Needs and Services Plan shall apply to nonminor dependents as specified in this section.
- (c) The caregiver shall request the Transitional Independent Living Plan for the nonminor dependent from the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer.
- (d) The Transitional Independent Living Plan shall be signed by the nonminor dependent, the caregiver, and the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, and maintained in the records for the nonminor dependent as specified in Section 83170, Nonminor Dependents' Records.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1530, and 1531, Health and Safety Code.

Adopt Section 83168.4 to read:

83168.4 REMOVAL OR DISCHARGE PROCEDURES

83168.4

- (a) Section 80068.5, Eviction Procedures shall not apply to nonminor dependents.
- (b) As necessary, the caregiver shall implement removal or discharge procedures as specified in this section for nonminor dependents living in the home.
- (c) Under emergency circumstances, a nonminor dependent may be removed from the home by the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, or other authorized agency.
 - (1) An emergency removal of a nonminor dependent from the home does not require 7 days prior written notice as specified in subsection (d).
 - (2) The circumstances under which a nonminor dependent may be removed from the home include, but are not limited to, the following:
 - (A) Removal by law enforcement officers when a nonminor dependent is arrested.
 - (B) Removal becomes necessary when the health and safety of the nonminor dependent or others in the home is endangered by the continued presence of the nonminor dependent in the home.
 - (C) Removal for emergency medical or psychiatric care.
 - (3) If a nonminor dependent is removed under emergency circumstances, the caregiver shall inform the nonminor dependent, the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, and the licensing agency that the nonminor dependent shall be or has been removed from the home.
- (d) At the request of the nonminor dependent or at the discretion of the caregiver, a nonminor dependent may be discharged from the home with 7 days written notice prior to discharge.
 - (1) The reasons for which a nonminor dependent may be discharged from the home include, but are not limited to, the following:
 - (A) The nonminor dependent reaches the age cap specified in Welfare and Institutions Code section 11403, subsection (a).
 - (B) The caregiver is no longer able to meet the needs of a nonminor dependent.
 - (C) There is a change in license for the home.

- (e) If it becomes necessary to discharge a nonminor dependent from the home with 7 days written notice prior to discharge, the caregiver shall:
- (1) Inform the nonminor dependent in a manner appropriate to his or her ability, the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, and the licensing agency that the nonminor dependent shall be discharged from the home.
 - (2) If appropriate to the ability of the nonminor dependent, provide written notice to the nonminor dependent that he or she shall be discharged from the home.
 - (3) Provide a copy of the written notice via e-mail, fax, or overnight mail to the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer, and the licensing agency on the same day the 7 days notice is provided.
 - (4) State the reason for the discharge of the nonminor dependent in the written notice, with specific facts about any circumstance or event that results in the pending discharge of the nonminor dependent.
 - (5) Except in the circumstance specified in subsection (d)(1)(A), request in the written notice that the nonminor dependent be placed elsewhere.
- (f) If a nonminor dependent submits a complaint against the caregiver, the licensing agency shall investigate the reason for the discharge.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1501.1, 1530, and 1531, Health and Safety Code; and Section 11403(a), Welfare and Institutions Code.

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Adopt Section 83170 to read:

83170 NONMINOR DEPENDENTS' RECORDS

83170

- (a) Section 80070, Client Records and Section 83070, Child's Records shall not apply to nonminor dependents.
- (b) The caregiver shall maintain a separate, complete, and current record or file in the home for a nonminor dependent.
 - (1) A nonminor dependent shall have access to his or her record or file maintained by the caregiver in a manner that ensures the confidentiality of other records maintained in the home.
 - (2) The following shall be included in the nonminor dependent's record or file:
 - (A) The name of the nonminor dependent, birth date, and date of placement in the home.
 - (B) If provided, a summary of the health and education information and records for the nonminor dependent, including mental health information or records as described in Welfare and Institutions Code section 16010.
 - 1. The caregiver shall be responsible for maintaining information and records provided by physicians and educators including, but not limited to, immunization records and any official grade or progress reports.

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Welfare and Institutions Code section 16010 provides in part:

"(a) When a child is placed in foster care, the case plan for each child recommended pursuant to Section 358.1 shall include a summary of the health and education information or records, including mental health information or records, of the child. The summary may be maintained in the form of a health and education passport, or a comparable format designed by the child protective agency. The health and education summary shall include, but not be limited to, the names and addresses of the child's health, dental, and education providers, the child's grade level performance, the child's school record, assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement, the number of school transfers the child has already experienced, the child's

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educational progress, as demonstrated by factors, including, but not limited to, academic proficiency scores, credits earned toward graduation, a record of the child's immunizations and allergies, the child's known medical problems, the child's current medications, past health problems and hospitalizations, a record of the child's relevant mental health history, the child's known mental health condition and medications, and any other relevant mental health, dental, health, and education information concerning the child determined to be appropriate by the Director of Social Services. If any other law imposes more stringent information requirements, then that section shall prevail."

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- (C) If provided, the Transitional Independent Living Plan for the nonminor dependent.
 - (D) If the Transitional Independent Living Plan for the nonminor dependent is not provided at the time of placement, the Pre-Placement Appraisal as specified in Section 83168.1, subsection (b). This appraisal shall be kept on file regardless of whether the Transitional Independent Living Plan is received at a later date.
 - (E) If the cash resources, personal property, and valuables of the nonminor dependent are entrusted to the caregiver, an itemized inventory list of these items as specified in Section 83126, subsection (d)(1).
 - (F) Documentation of the removal or discharge of a nonminor dependent from the home as specified in Section 83168.4, Removal or Discharge Procedures, in the records for the nonminor dependent.
- (c) If developmentally appropriate for and upon the request of a nonminor dependent, the caregiver shall assist the nonminor dependent in obtaining and keeping his or her own records.
- (1) These records shall include, but not be limited to:
 - (A) A certified birth certificate.
 - (B) A Social Security card.
 - (C) A California or other state identification card or driver's license.
 - (D) A proof of citizenship or residency status; or for an alien, evidence of an approved petition for special immigrant juvenile status pursuant to Title 8, C.F.R. Section 204.11.

- (E) Death certificate(s) of parent or parents, if applicable.
- (F) A proof of county dependency status for education aid applications.
- (G) A copy of the:
 - 1. Personal rights accorded to the nonminor dependent as specified in Section 83172, Personal Rights.
 - 2. Expectations, alternatives, and consequences for living in the home as specified in Section 83172.1, Expectations, Alternatives, and Consequences.
- (d) All records for a nonminor dependent shall be available to the licensing agency to inspect, audit, and copy upon demand during business hours. Records may be removed if necessary for copying. Removal of records shall be subject to the following requirements:
 - (1) The licensing agency representative shall not remove any current emergency or health-related records for a nonminor dependent unless the same information is readily available in another document or format.
 - (2) Prior to removing any records, the licensing agency representative shall prepare a list of the records to be removed, sign and date the list upon removal of the records, and leave a copy of the list with the caregiver.
 - (3) The licensing agency representative shall return the records to the home undamaged and in good order within three business days following the date the records were removed.
- (e) When a nonminor dependent permanently leaves the home, the caregiver shall give any original and photocopied records that belong to a nonminor dependent to the nonminor dependent if developmentally appropriate or to the person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1531, and 1557.5, Health and Safety Code; Section 16010, Welfare and Institutions Code; and Section 675(1)(C), Title 42, United States Code.

Adopt Section 83172 to read:

83172 **PERSONAL RIGHTS**

83172

- (a) Sections 80072, Personal Rights shall not apply to nonminor dependents. Except as specified in this section, Section 83072, Personal Rights shall not apply to nonminor dependents.
- (b) The caregiver shall ensure that each nonminor dependent is accorded the personal rights specified in Welfare and Institutions Code section 16001.9 and the following personal rights:
 - (1) A nonminor dependent shall be free from corporal or unusual punishment; infliction of pain; humiliation; intimidation; ridicule; coercion; threat; physical, sexual, mental, or other abuse; or other actions of a punitive nature including, but not limited to, interference with the daily living functions of eating, sleeping, or toileting, or withholding of shelter, clothing, medication, or aids to physical functioning.
 - (2) To acquire, possess, maintain, and use adequate personal items. These shall include, but not be limited to, the nonminor dependent's own:
 - (A) Clothes.
 - (B) Toiletries and personal hygiene products.
 - (C) Belongings including furnishings, equipment, and supplies, for his or her personal living space in accordance with his or her interests, needs, and tastes.
 - (3) To acquire, possess, maintain, and use a personal vehicle for transportation.
 - (4) To select, obtain, and store food of his or her own choosing.
 - (5) To select, obtain, or decline medical, dental, vision, and mental health care and related services at his or her discretion.
 - (6) To have adequate privacy for visitors that include:
 - (A) Family members, unless prohibited by court order.
 - (B) The person or agency responsible for placing the nonminor dependent, such as a social worker or probation officer.
 - (C) Other visitors, unless prohibited by court order.
 - (7) To be informed by the caregiver of the provisions of law regarding complaints and

- information including, but not limited to, the address and telephone number of the licensing agency and about the confidentiality of complaints.
- (8) To send and receive unopened mail, acquire, possess, maintain, and use a personal landline or cellular telephone to make and receive confidential telephone calls or a personal computer to send and receive unopened electronic communication, unless prohibited by court order.
 - (9) To leave or depart the home at any time at the discretion of the nonminor dependent.
 - (10) To have the independence appropriate to the status of a nonminor dependent as a legal adult, consistent with the Transitional Independent Living Plan for the nonminor dependent.
 - (11) Not to be restrained or placed in any restraining device other than a postural support or protective device, as specified in Section 83072, subsection (c)(28).
 - (12) To have dignity in his or her personal relationships with others in the home.

 - (A) To be free from unreasonable searches of person.
 - (13) To have private or personal information including, but not limited to, any medical condition or treatment, psychiatric diagnosis or treatment, history of abuse, educational records reflecting performance or behavior, and information relating to the biological family of the "nonminor dependent" maintained in confidence.

 - (A) There shall be no release of confidential information without the prior written consent of the nonminor dependent, and this information must only be released to the extent permitted by law. The caregiver shall, with the consent of the nonminor dependent, only disclose relevant and necessary information about the nonminor dependent.
 - (14) To access information regarding available educational, training, and employment options of his or her choosing.
 - (15) To request assistance from the caregiver.

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Welfare and Institutions Code section 16001.9, subsection (a) provides in part:

"(a) It is the policy of the state that all children in foster care shall have the following rights:

- (1) To live in a safe, healthy, and comfortable home where he or she is treated with respect.

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- (2) To be free from physical, sexual, emotional, or other abuse, or corporal punishment.
- (3) To receive adequate and healthy food, adequate clothing, and for youth in group homes, an allowance.
- (4) To receive medical, dental, vision, and mental health services.
- (5) To be free of the administration of medication or chemical substances, unless authorized by a physician.
- (6) To contact family members, unless prohibited by court order, and social workers, attorneys, foster youth advocates and supporters, Court Appointed Special Advocates (CASAs), and probation officers.
- (7) To visit and contact brothers and sisters, unless prohibited by court order.
- (8) To contact the Community Care Licensing Division of the State Department of Social Services or the State Foster Care Ombudsperson regarding violations of rights, to speak to representatives of these offices confidentially, and to be free from threats or punishment for making complaints.
- (9) To make and receive confidential telephone calls and send and receive unopened mail, unless prohibited by court order.
- (10) To attend religious services and activities of his or her choice.
- (11) To maintain an emancipation bank account and manage personal income, consistent with the child's age and developmental level, unless prohibited by the case plan.
- (12) To not be locked in a room, building, or facility premises, unless placed in a community treatment facility.
- (13) To attend school and participate in extracurricular, cultural, and personal enrichment activities, consistent with the child's age and developmental level with minimal disruptions to school attendance and educational stability.
- (14) To work and develop job skills at an age-appropriate level, consistent with state law.
- (15) To have social contacts with people outside of the foster care system, such as teachers, church members, mentors, and friends.
- (16) To attend Independent Living Program classes and activities if he or she meets age requirements.

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(17) To attend court hearings and speak to the judge.

(18) To have storage space for private use.

(19) To be involved in the development of his or her own case plan and plan for permanent placement.

(20) To review his or her own case plan and plan for permanent placement, if he or she is 12 years of age or older and in a permanent placement, and to receive information about his or her out-of-home placement and case plan, including being told of changes to the plan.

(21) To be free from unreasonable searches of personal belongings.

(22) To confidentiality of all juvenile court records consistent with existing law.

(23) To have fair and equal access to all available services, placement, care, treatment, and benefits, and to not be subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.

(24) At 16 years of age or older, to have access to existing information regarding the educational options available, including, but not limited to, the coursework necessary for vocational and postsecondary educational programs, and information regarding financial aid for postsecondary education."

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(c) In ensuring the rights of a nonminor dependent, the caregiver is not required to permit or take any action that would infringe on the rights of others or impair the health and safety of the nonminor dependent or household members.

(A) The caregiver is not prohibited from taking the following actions for the protection of the nonminor dependent or household members:

(1) Establishing house rules.

(2) Locking exterior doors and windows as long as the "nonminor dependent" can enter or exit the home.

(d) At the time of placement, the caregiver shall ensure that, as developmentally appropriate, the nonminor dependent is verbally notified of the rights specified in this section and provided with a written copy of these rights and information regarding agencies the nonminor dependent may contact concerning violations of these rights.

NOTE: Authority cited: Sections 1502.7, 1530, and 1531, Health and Safety Code. Reference: Section 13, Article 1, California Constitution; Sections 1501, 1501.1, 1502.7(b)(1), 1530.91, and 1531, Health and Safety Code; Sections 303 and 16001.9, Welfare and Institutions Code; Section 51, Civil Code; and Section 12921, Government Code.

Adopt Section 83172.1 to read:

83172.1 EXPECTATIONS, ALTERNATIVES, AND CONSEQUENCES

83172.1

- (a) The caregiver shall develop, implement, and maintain written expectations, alternatives, and consequences for nonminor dependents living in the home.
- (1) A nonminor dependent shall be given the opportunity to participate in the review of these expectations, alternatives, and consequences based on his or her needs while the nonminor dependent is living in the home.

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If the county where the home is located elects to use the Shared Living Agreement (SLA) process, it may be used to assist in the development of agreements between the nonminor dependent and caregiver that cover a variety of house rules that may include, but not be limited to, curfew, household responsibilities, and increasing opportunities to manage money. The SLA may also be used to assist in the development of expectations, alternatives, and consequences for living in the home.

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- (b) If a nonminor dependent does not comply with reasonable expectations for living in the home, the nonminor dependent shall be subject to reasonable and temporary alternatives or consequences as discussed and agreed upon by the caregiver and the nonminor dependent.
- (c) When a nonminor dependent is subject to reasonable and temporary alternatives or consequences for noncompliance with reasonable expectations for living in the home, the caregiver shall do all of the following:
 - (1) Inform the nonminor dependent that it is necessary for the caregiver to impose alternatives or consequences on the nonminor dependent.
 - (2) Discuss the reason and need for the caregiver to impose alternatives or consequences on the nonminor dependent and provide the nonminor dependent with the opportunity to participate in choosing the appropriate alternative or consequence.
 - (3) Develop a plan, including time limit, with the nonminor dependent for the nonminor dependent to be subject to and comply with the chosen alternative or consequence.
 - (4) Establish a time limit for the nonminor dependent to be subject to and comply with the chosen alternative or consequence.

- (5) Document the decision to subject the nonminor dependent to the chosen alternative or consequence and the steps taken in subjecting the nonminor dependent to the alternative or consequence.
- (d) Any alternative or consequence that violates the personal rights of a nonminor dependent as specified in Section 83172, Personal Rights, shall be prohibited.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code; and Section 303, Welfare and Institutions Code.

Adopt Section 83173 to read:

83173 **TELEPHONES**

83173

- (a) Section 80073, Telephones shall not apply to nonminor dependents.
- (b) At all times, telephone service shall be readily accessible in the home.
 - (1) Telephone service in the home shall be readily accessible to a nonminor dependent at all times.
- (c) If the caregiver subscribes to an Internet service, it shall, if developmentally appropriate for the nonminor dependent, be readily accessible to the nonminor dependent in the home.
- (d) A nonminor dependent may, if developmentally appropriate for the nonminor dependent and by arrangement with the caregiver, have personal landline or cellular telephone service or a personal computer for Internet access in the home.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

Adopt Section 83174 to read:

83174 **TRANSPORTATION**

83174

- (a) Section 80074, Transportation shall not apply to nonminor dependents. Except as specified in this section, Section 83074, Transportation shall not apply to nonminor dependents.
- (b) Unless other arrangements are specified in the Transitional Independent Living Plan for a nonminor dependent, the caregiver shall permit the nonminor dependent to arrange for his or her own transportation.
- (c) A nonminor dependent who is able to operate a vehicle for transportation may, but shall not be required to, provide transportation to others.
- (d) If the caregiver provides transportation to a nonminor dependent as necessary or at the request of the nonminor dependent, the caregiver shall ensure that persons who transport a nonminor dependent use vehicles that are in safe operating condition.
 - (1) The smoking prohibition in Section 83074, subsection (c) shall apply.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code.

Adopt Section 83175 to read:

83175 **HEALTH-RELATED SERVICES**

83175

- (a) Sections 80075, Health-Related Services and 83075, Health Related Services shall not apply to nonminor dependents.
- (b) The caregiver shall ensure that a nonminor dependent receives necessary first aid, medical, dental, vision, and mental health care, and related services.
 - (1) The caregiver shall assist a nonminor dependent with developing the skills necessary for self-sufficiency in obtaining health services as specified in Section 83178, Responsibility for Providing Care and Supervision.
- (c) The caregiver shall ensure that a nonminor dependent has access to first aid supplies appropriate to the needs of the nonminor dependent.
- (d) Upon the request of a nonminor dependent with a health condition that requires prescription or nonprescription medication, the caregiver shall assist the nonminor dependent with the self-administration of medication and injections if permitted by his or her physician.
 - (1) The caregiver shall ensure that the nonminor dependent stores medication and injections in a manner that ensures the safety of other nonminor dependents and children in the home.
- (e) The caregiver shall ensure that persons, including a nonminor dependent, who provide emergency medical assistance and injections to the nonminor dependent are trained as specified in Health and Safety Code section 1507.25.
- (f) The caregiver shall ensure that the following are documented by the person responsible for administration as specified in Health and Safety Code section 1507.25:
 - (1) The date, time, and dose of all injections administered to a nonminor dependent, including injections self-administered by the nonminor dependent.
 - (2) The date, time, and results of glucose testing and monitoring, including glucose testing and monitoring by the nonminor dependent.
- (g) The caregiver shall keep all documentation of injections and glucose testing and monitoring specified in subsections (f)(1) and (f)(2) in the record for the nonminor dependent.

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Health and Safety Code section 1507.25 provides in part:

"(a)(1) Notwithstanding any other provision of law, a person described in paragraph (2), who is not a licensed health care professional, but who is trained to administer injections by a licensed health care professional practicing within his or her scope of practice, may administer emergency medical assistance and injections for severe diabetic hypoglycemia and anaphylactic shock to a foster child in placement.

(2) The following individuals shall be authorized to administer emergency medical assistance and injections in accordance with this subdivision...

(D) A small family home parent.

(G) A direct care staff member of a small family home or a group home...

(b)(1) Notwithstanding any other provision of law, a person described in paragraph (2), who is not a licensed health care professional, but who is trained to administer injections by a licensed health care professional practicing within his or her scope of practice, may administer subcutaneous injections of other medications, including insulin, as prescribed by the child's physician, to a foster child in placement.

(2) The following individuals shall be authorized to give prescribed injections including insulin in accordance with this subdivision...

(D) A small family home parent...

(c) For purposes of this section, administration of an insulin injection shall include all necessary supportive activities related to the preparation and administration of injection, including glucose testing and monitoring..."

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(h) If a nonminor dependent cannot determine his or her need for medication, the caregiver shall determine the need of the nonminor dependent in accordance with medical instructions.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501, 1501.1, 1507, 1507.25, 1507.5, 1530, and 1531, Health and Safety Code.

Adopt Section 83176 to read:

83176 **FOOD SERVICE**

83176

- (a) Sections 80076 Food Service and 83076 Food Service shall not apply to nonminor dependents.
- (b) The caregiver shall provide or ensure at least three nutritious meals per day, have between-meal snacks available, provide food as necessary, and meet any special dietary needs documented in the Needs and Services Plan of a nonminor dependent, unless the physician of the nonminor dependent advises otherwise.
 - (1) The quantity and quality of food available to household members shall be equally available to a nonminor dependent.
- (c) A nonminor dependent shall be invited to participate in all household meals.
- (d) To the extent of his or her ability and as agreed upon with the caregiver, a nonminor dependent shall have the opportunity to plan meals, grocery shop, and store and prepare food.
 - (1) A nonminor dependent shall have access to all meal preparation areas, appliances, and utensils for meal preparation.
- (e) A nonminor dependent shall have the opportunity to participate with the caregiver in meal preparation, but shall not be required to prepare meals for others.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code; and Section 16001.9, Welfare and Institutions Code.

Adopt Section 83178 to read:

83178 **RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION** **83178**

- (a) Except as specified in this section, Section 83064, Licensee Duties and Responsibilities shall not apply to nonminor dependents. Sections 80078 and 83078, Responsibility for Providing Care and Supervision shall not apply to nonminor dependents.
- (b) As developmentally appropriate for a nonminor dependent, the caregiver shall provide care and supervision as necessary to meet the needs of the nonminor dependent.
- (c) The caregiver shall assist a nonminor dependent with developing the skills necessary for self-sufficiency. These skills may include, but are not limited to, the following:
 - (1) Financial literacy;
 - (2) Nutrition and healthy food choices, grocery shopping, food and meal preparation;
 - (3) Identifying a suitable home and home maintenance;
 - (4) Child care;
 - (5) Automotive maintenance;
 - (6) Educational and career development;
 - (7) Obtaining medical, dental, vision, and mental health care;
 - (8) Access to community resources;
 - (9) Developing and reaching goals;
 - (10) Self-care, including performing the nonminor dependent's own laundry, including but not limited to washing, drying, and ironing his or her personal clothing;
 - (11) Drug and alcohol abuse awareness and prevention; and
 - (12) Safe sex and reproductive health information.
- (d) As developmentally appropriate for the nonminor dependent, the caregiver shall be responsible for participating with a nonminor dependent in the activities specified in Section 83064, subsections (a)(1) through (a)(6).
- (e) The caregiver must meet the training requirements specified in Section 83064, subsections (e)(1) through (e)(2) and (f).

- (f) As developmentally appropriate to the needs of the nonminor dependent, the caregiver may arrange for other care and supervision as follows:
- (1) If the caregiver anticipates being absent from the home, the caregiver is permitted to leave a nonminor dependent in the home alone and may leave a nonminor dependent in the home alone overnight.
- (A) In making the decision to leave the nonminor dependent home alone, the caregiver shall maintain the health and safety and best interest of the nonminor dependent.
1. The caregiver shall consider the maturity, experience, and ability of a nonminor dependent when leaving the nonminor dependent in the home alone.
- a. Before leaving a nonminor dependent in the home alone, the caregiver shall ensure that the nonminor dependent knows where and how to contact the caregiver.
- (g) Unless restricted by the Transitional Independent Living Plan or court order, the caregiver shall encourage a nonminor dependent to select, seek, and maintain permanent connections between the nonminor dependent, the family and non-relative extended family members of the nonminor dependent, and caring and committed adults.

NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: "FosterClub's Transition Toolkit," a publication of FosterClub, in collaboration with FosteringConnections.org (2010); and Sections 1501 and 1531, Health and Safety Code.

Adopt Section 83179 to read:

83179 **ACTIVITIES**

83179

- (a) Section 83079, Activities shall not apply to nonminor dependents.
- (b) To the extent of his or her ability, a nonminor dependent shall be entitled to select and participate in activities of his or her own choosing.
 - (A) Activities shall be consistent with the agreed-upon expectations for living in the home as specified in Section 83172.1, Expectations, Alternatives, and Consequences.
- (c) The caregiver shall provide access to information to assist a nonminor dependent in preparing for emancipation from foster care.
 - (1) Upon the request of a nonminor dependent, the caregiver shall assist the nonminor dependent in obtaining the following information including, but not limited to:
 - (A) Educational Options.
 - 1. Admission criteria for universities, community colleges, trade or vocational schools and financial aid information for these schools.
 - 2. Informational brochures on postsecondary or vocational schools/programs.
 - 3. Campus tours.
 - 4. Internet research on postsecondary or vocational schools/programs, sources of financial aid, independent living skills program offerings, and other local resources to assist youth.
 - 5. School-sponsored events promoting postsecondary or vocational schools or programs.
 - 6. Financial aid information, including information about federal, state and school-specific aid, state and school-specific scholarships, grants and loans, as well as aid available specifically to current and former foster youth and contact information for the Student Aid Commission.
 - (B) Employment Options.
 - 1. Requirements for trade, vocational, or professional careers.
 - 2. Informational brochures on employment-related programs.
 - 3. Internet research on trade, vocational, or professional career options.

4. Community-sponsored events promoting volunteerism, internships, or employment.
5. Salary information for trade, vocational, or professional careers.
- (C) Requirements for participation in Transitional Housing Program (THP)-Plus, THP-Plus Foster Care, and a Supervised Independent Living Setting.

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A nonminor dependent may request assistance from the caregiver with the following steps to attending college:

(1) Application for admission.

- (A) An application for California community colleges can be found online at <http://www.cccapply.org>.
- (B) An application for California State Universities can be found online at <http://www.csumentor.edu>.
- (C) An application for Universities of California can be found online at <http://universityofcalifornia.edu/admissions>.

(2) Contact with a Foster Youth Success Initiative (FYSI) Liaison.

- (A) FYSI liaisons at all California community colleges can be found online at <http://www.cccco.edu/ChancellorsOffice/Divisions/StudentServicesandSpecialPrograms/StudentFinancialAssistancePrograms/FosterYouthSuccessInitiativeFYSI/tabid/997/Default.aspx>.

(3) Financial aid.

- (A) A Free Application for Federal Student Aid (FAFSA) can be found online at <http://www.fafsa.ed.gov/options.htm>.
- (B) An application for a Board of Governors fee waiver for California community colleges can be found online at <http://www.icanaffordcollege.com>.
- (C) An application for the Chafee Education and Training Voucher grant program for foster youth can be found online at <https://www.chafee.csac.ca.gov/default.aspx>.

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- (4) Participation in Extended Opportunity Programs and Services (EOPS) and Disability Support Programs and Services (DSPS).
 - (5) Assessment.
 - (6) College orientation and course planning.
 - (7) Enrollment.
 - (8) Payment of fees.
 - (9) Access to miscellaneous higher education resources.
- (A) General college planning information can be found online at http://www.college.gov/wps/portal/?WCM_GLOBAL_CONTEXT=/wps/wcm/connect/college/college/whattodo/whattodo.
 - (B) A listing of California community colleges can be found online at <http://californiacommunitycolleges.cccco.edu/maps/alphaList.asp>.
 - (C) Information about academic support, such as Guardian or Renaissance Scholar programs available to foster youth attending college, can be found online at <http://www.cacollegepathways.org/programs.php>.

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NOTE: Authority cited: Sections 1502.7 and 1530, Health and Safety Code. Reference: Sections 1501 and 1531, Health and Safety Code; and Sections 11400(w) and (x), 11403.2, and 16001.9, Welfare and Institutions Code.

Adopt Article 7 and Section 83187 to read:

Article 7. Physical Environment

83187 BUILDINGS AND GROUNDS

83187

- (a) Sections 80087, Buildings and Grounds and 80088, Fixtures, Furniture, Equipment, and Supplies shall not apply to nonminor dependents.
- (b) Section 83087, Buildings and Grounds shall apply to nonminor dependents with the exception of subsections (b)(1), (b)(2), (b)(5), (b)(6), and (b)(7).
- (c) Section 83088, Fixtures, Furniture, Equipment, and Supplies shall apply to nonminor dependents with the exception of subsections (c), (c)(2), (d), (e), and (f).
- (d) The caregiver shall provide bedrooms in the home which shall meet, at a minimum, the following requirements:
 - (1) No more than two people, including a nonminor dependent and a child, or another nonminor dependent, shall share a bedroom.
 - (A) As long as both remain compatible and the caregiver takes into account the nonminor dependents' health, safety, and best interest, a nonminor dependent may be permitted to share a bedroom with a nonminor dependent of the opposite sex.

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The nonminor dependent and caregiver may use a Shared Living Agreement to address potential issues in regard to shared bedroom space.

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- (2) A nonminor dependent and a child may share a bedroom under the following circumstances:
 - (A) The nonminor dependent and the child are siblings,
 - (B) The nonminor dependent and the child have been sharing a bedroom prior to the nonminor dependent turning age 18 and remain compatible to share a bedroom, or
 - (C) The nonminor dependent is sharing the bedroom with his or her child.

- (3) The caregiver shall provide a nonminor dependent with an individual bed that is equipped with a clean, comfortable mattress and pillows, as needed, all in good repair.
 - (A) The caregiver shall provide and a nonminor dependent shall have access as needed to clean bed linen in good repair, including lightweight, warm blankets and bedspreads; top and bottom bed sheets, pillow cases, and mattress pads.
- (4) If a nonminor dependent is sharing a bedroom with his or her child, the caregiver shall provide a safe and sturdy bassinet or crib, appropriate to the child's age and size. The following shall apply to cribs:
 - (A) Tiered or stacked cribs shall not be permitted.
 - (B) Crib slats shall not pose the danger of an infant being trapped.
 - (C) Crib mattresses shall be clean, comfortable and fit properly in the crib.
 - (D) Linen shall be changed at least once per week or more often when necessary to ensure that clean linen is in use by infants at all times.
 - (E) An infant who can climb out of a crib shall be provided with an age-appropriate bed.
- (e) The caregiver shall provide and a nonminor dependent shall have access as needed to the following additional furniture, equipment, and supplies:
 - (1) Clean bath linens, including towels, hand towels, and wash cloths.
 - (2) Items used to maintain basic personal care, including but not limited to shampoo, feminine hygiene products, nonmedicated soap, toilet paper, toothbrush, toothpaste, and comb.
 - (3) A well-lighted desk or table space.
- (f) The home shall be clean, safe, sanitary, and in good repair at all times.
 - (1) The caregiver shall take measures to keep the home reasonably free of flies and other insects.
- (g) All indoor and outdoor passageways, stairways, inclines, ramps, and open porches shall be kept free of obstruction.
- (h) A caregiver who accepts a nonminor dependent who is developmentally, mentally, or physically disabled or a nonminor dependent parent's child who is under 10 years of age or who is developmentally, mentally, or physically disabled shall ensure that swimming pools, fixed in-place wading pools, hot tubs, spas, or similar bodies of water are inaccessible.

- (1) Fences shall be at least five feet high and shall be constructed so that the fence does not obscure the pool from view. Gates shall swing away from the pool, self-close and have a self-latching device located no more than six inches from the top of the gate. Pool covers shall be strong enough to completely support the weight of an adult and shall be placed on the pool and locked while the pool is not in use.
- (i) If the home has an above-ground pool, the pool shall be made inaccessible when not in use by removing or making the ladder inaccessible and if the pool is less than 60 inches in height, by the use of a barricade. Any barricade, whether or not it includes the above-ground pool structure itself, shall meet the requirements of subsection (h)(1).
- (j) All pools that cannot be emptied after each use shall have an operative pump and filtering system.
- (k) The caregiver shall maintain a safe and comfortable temperature in the home at all times.
- (l) The caregiver shall ensure safety around fireplaces, open-faced heaters, or woodstoves.
- (m) The caregiver shall provide lighting as necessary in all rooms and other areas to ensure comfort and safety in the home.
- (n) Faucets used for personal care and grooming shall deliver hot water at a safe temperature.
- (o) All toilets, sinks, bathtubs, and showers shall be maintained in safe and sanitary operating condition. Additional equipment, aids, and/or conveniences shall be provided in facilities accommodating physically handicapped clients who need such items.
- (p) Waste shall be stored, located, and disposed of in a manner that will not permit the transmission of communicable disease or odors, create a nuisance, or provide a breeding place or food source for insects or rodents.
- (q) Firearms and other weapons shall be stored where inaccessible to a nonminor dependent.
 - (1) Storage areas for firearms and other weapons shall be locked.
 - (2) In lieu of locked storage of firearms, the licensee may use trigger locks or remove the firing pin.
 - (A) Firing pins shall be stored and locked separately from firearms.
 - (3) Ammunition shall be stored and locked separately from firearms.
- (r) A nonminor dependent, to the extent of his or her ability, shall have access to the following items:

- (1) Household kitchen knives and appliances shall be accessible to the nonminor dependent who may need to use these items for meal preparation.
- (2) Medications used by the nonminor dependent shall be stored where accessible for self-administration by the nonminor dependent.
- (3) Disinfectants and cleaning solutions shall be stored where accessible to the nonminor dependent who may need to use these products for household chores.
- (s) In permitting a nonminor dependent to have access to the items specified in subsection (r)(1) through (r)(3), the caregiver shall ensure that the safety of a nonminor dependent and others in the home is maintained.

NOTE: Authority cited: Sections 1502.7, 1530, and 115926, Health and Safety Code. Reference: Sections 1501, 1531, 115921, 115922(a), and 115923, Health and Safety Code; and Section 16001.9, Welfare and Institutions Code.